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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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10/676,590

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Sig Harold Badt JR.

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06/03/2009

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EXAMINER

PULLIAS, JESSE SCOTT

ART UNIT

PAPER NUMBER

2626

NOTIFICATION DATE

DELIVERY MODE

06/03/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patent@gardnergroff.com
mkandcer@gardnergroff.com

| | | | |
|------------------------------|--------------------------------------|---|--|
| Office Action Summary | Application No. 10/676,590 | Applicant(s) BADT, SIG HAROLD | |
| | Examiner JESSE S. PULLIAS | Art Unit 2626 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4,5,8,11,12,15,18,19 and 22-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4, 5, 8, 11, 12, 15, 18, 19, and 22-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/16/09 has been entered.

2. This office action is in response to correspondence filed 03/16/2009 regarding application 10/676590, in which claims 1, 8, and 15 were amended, and new claims 22-27 were added. Claims 2, 3, 6, 7, 9, 10, 13, 14, 16, 17, 20, and 21 had been previously cancelled. Claims 1, 4, 5, 8, 11, 12, 15, 18, 19, and 22-27 are pending in the application and have been considered.

Response to Arguments

3. The arguments on pages 6-9 of the Remarks regarding the Vanbuskirk reference have been fully considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 5, 8, 12, 15, 19, and 22-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Groner (5,668,928) in view of Bissonnette et al. (5,602,963).

Consider claim 1, Groner discloses a computer interface system (**Fig 1**, user interface 106), comprising a microphone (**Fig 1**, element 112) that receives audio input from a user, a speech recognition mechanism (**Fig 1**, voice recognition procedures 156) that includes a predefined dictionary having a plurality of recognized input terms and commands (**Fig 1**, standard dictionary 152), and a user interface (**Fig 1** element 110), wherein the user interface provides a form having a plurality of pull-down menu fields for user input (**Col 7 lines 23-25**), wherein upon selection of one field and receipt of a recognized command spoken by the user, the user interface displays a list of recognized input terms in a pull-down menu that are appropriate for input into the selected field on the form (**Fig 7 lines 10-15**), wherein upon receipt of an appropriate recognized input term for the selected field, the input term is input in the selected field (**Col 6 lines 5-10, 55-60**).

Groner does not specifically mention the system automatically selects a next field on the form for user input (**Col 7 lines 55-65**).

Bissonnette discloses the system automatically selects a next field on the form for user input (**Col 1 lines 30-31**).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Groner such that the system automatically selects a next field on the form for user input, in order to make form filling less time consuming, a need identified by Bissonnette (**Col 2 lines 7-8**).

Consider claim 8, Groner discloses a computer program product in a computer readable medium for use in a computer interface system (**Fig 1**), the computer program product comprising instructions for displaying a user interface to the user (**Fig 1, element 110**), wherein the user interface provides a form including a plurality of pull-down menu fields for user input (**Col 7 lines 23-25**), instructions for receiving a selection of a field for user input (**Col 6 lines 52-60, Col 7 lines 23-25**), instructions for providing a list of recognized input terms for the selected field in a pull-down menu (**Col 7 lines 23-25**), instructions for receiving audio input in the form of at least one word from the list from a user (**Col 6 lines 53-55**), instructions for recognizing the at least one word as an input term or a command (**Col 5 lines 35-44**), instructions for causing the user interface to display a list of recognized input terms for inputting into the selected field if the at least one word is recognized as a command (**Col 7 lines 10-15**), instructions for completing the selected field with the input term if the at least one word is recognized as the input term (**Col 6 lines 5-10, 55-60**).

Groner does not specifically mention automatically selecting the next field on the form for user input upon receipt of a recognized input term.

Bissonnette discloses the system automatically selects a next field on the form for user input **(Col 1 lines 30-31)**.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Groner such that the system automatically selects a next field on the form for user input, for reasons similar to those of claim 1.

Claim 15 is directed to the method performed by the instructions executed by the computer of claim 8, and so is rejected for reasons similar to those of claim 8.

Consider claims 5, 12, and 19, Groner discloses displaying a second user interface window upon receipt of a second command **(Fig 4A, 4B)**.

Consider claims 22, 24, and 26, Groner discloses the list of recognized input terms comprises all possible input terms for the one field **(Col 7 lines 1-5, lines 10-15)**.

Consider claims 23, 25, and 27, Groner discloses the list of recognized input terms is defined in the user interface **(Col 7 lines 10-15)**.

6. Claims 4, 11, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Groner (5,668,928) in view of Bissonnette et al. (5,602,963), in further view of Vanbuskirk (6,308,157).

Consider claims 4, 11, and 18, Groner and Bissonnette do not specifically mention outputting an audio prompt that prompts the user to speak a recognized input term.

Vanbuskirk discloses outputting an audio prompt that prompts the user to speak a recognized input term **(Col 6 lines 19-20)**.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Groner and Bissonnette by outputting an audio prompt that prompts the user to speak a recognized input term, in order to better get the user's attention in case the user is not looking at the display.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jesse Pullias whose telephone number is 571/270-5135. The examiner can normally be reached on M-F 9:00 AM - 4:30 PM.

8. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on 571/272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571/270-6135.

9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Jesse S Pullias/
Examiner, Art Unit 2626

/Talivaldis Ivars Smits/
Primary Examiner, Art Unit 2626

5/29/2009